

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WAYNE BALIGA, derivatively on behalf of
LINK MOTION INC. (F/K/A NQ MOBILE
INC.)

Plaintiff,
-against-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.), VINCENT WENYONG SHI, JIA
LIAN, XIAO YU,

Defendants,
-and-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.),

Nominal Defendant.

1:18-cv-11642-VM-DCF

**DECLARATION OF VINCENT
WENYONG SHI**

VINCENT WENYONG SHI declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am one of the above-named individual defendants in this action. I make this declaration in response to the accounting submitted by Robert W. Seiden, the court-appointed receiver (the “Receiver”) for Link Motion Inc. (“LKM”), a Cayman Islands company (Dkt. [376](#)) and in opposition to the Receiver’s veil-piercing claims (Dkt. [375](#) at 16-20).

2. I respectfully refer to my declaration of January 18, 2023, Dkt. [387](#), in which I respond to the Receiver’s incorrect claims that I “dominated” LKM and diverted assets.

3. In response to the Receiver’s accounting, it is my contention that the Receiver negligently and recklessly permitted his agent, Mr. Lilin “Francis” Guo, to obtain control and majority ownership of one of Beijing NQ Technology Co., Ltd. (“Beijing Technology”).

4. Prior to appointment of the Receiver, LKM conducted its operations principally through Beijing Technology.

5. To the best of my recollection, Beijing Technology generated annual revenues of approximately ¥68,000,000.00 renminbi (approximately U.S.\$10,000,000).

6. The basis for my recollection is information that was provided to me in the ordinary course of business before this action was commenced.

7. When the Receiver was appointed on February 1, 2019, he assumed control over the day-to-day affairs of LKM.

8. In March 2019, the Receiver appointed Mr. Guo as the Chairman and sole individual director of LKM's wholly owned Hong Kong subsidiary, Link Motion International Limited.

9. Once Mr. Guo had control over Link Motion International Limited, he obtained control over LKM's wholly owned subsidiaries in China and Beijing Technology.

10. In April 2019, I lost access to my LKM corporate email accounts. *See Dkt. 388-6.* It is my understanding that Mr. Guo or one of his agents obtained control over LKM's emails serves in April 2019.

11. In December 2019, Mr. Guo became the majority shareholder of Beijing Technology.

12. Since then, I have received no information concerning the revenues of Beijing Technology.

I state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 3, 2023



Vincent Wenyong Shi